



Wild and Scenic Rivers § 58.5(F)

Contents



Rio Grande
Bosque del Apache NWR
New Mexico

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Background

Congress passed the Wild and Scenic Rivers Act of 1968

“....certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations....”

Rio Grande
Big Bend National Park
Texas



Background



Big Piney Creek
Ozark Mountains
Arkansas

- The Act established the *National Wild and Scenic Rivers System* (NWSRS)
- Rivers - and segments of rivers - are *classified* as **wild**, **scenic**, or **recreational**
- Designation of a river into the NWSRS does not halt use of a river; instead, the goal is to preserve the character of a river
- Uses that are compatible with management goals are allowed

Categories of Protected Rivers

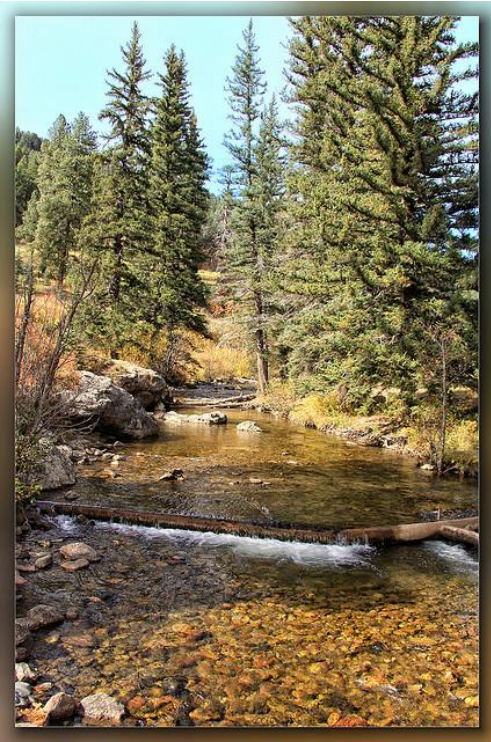
Three categories of rivers are protected by the WSR Act of 1968

- **Designated Rivers** – Rivers designated as a Wild and Scenic River and their tributaries are protected under Section 7(a) of the Act and included in the NWSRS: <http://www.rivers.gov/wildriverslist.html>
- **Study Rivers** – potential additions to the NWSRS and are protected under Section 7(a) of the Act: <http://www.rivers.gov/study.html>
- **Nationwide Rivers Inventory (NRI) list** – Rivers included on the inventory list are believed to possess one or more "outstandingly remarkable" natural or cultural values with more than local or regional significance are protected under Section 5 (d) of the Act: <http://www.nps.gov/ncrc/programs/rtca/nri/>



Saline Bayou
Kisatchie National Forest
Louisiana

Categories of Protected Rivers



Pecos River
Sante Fe National Forest
New Mexico

HUD Region VI Protected Rivers

- New Mexico
 - Designated WSR – 4
 - Inventory - 10
- Texas
 - Designated WSR – 1
 - Inventory – 19
- Oklahoma
 - Inventory – 8
- Arkansas
 - Designated WSR – 7
 - Inventory – 50
- Louisiana
 - Designated WSR – 1
 - Inventory – 11

* No Study Rivers in Region VI

Environmental Review Requirements

What types of project could affect a NWSR?



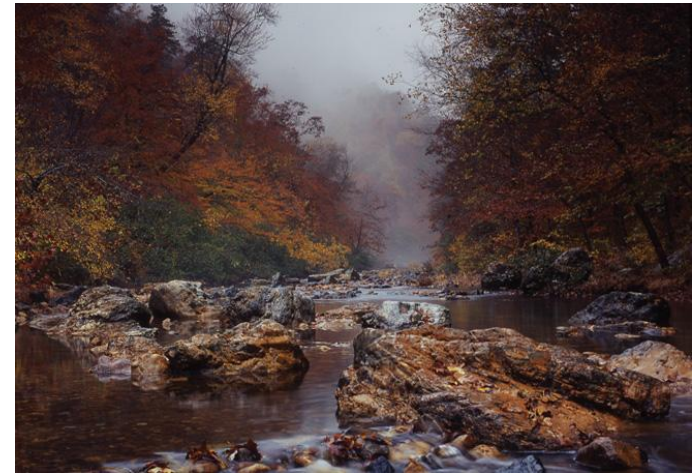
*Many
Types...*



- New Construction
- Land use change
- Expansion
- Demolition
- Acquisition of undeveloped land
- Major Rehab

Environmental Review Requirements

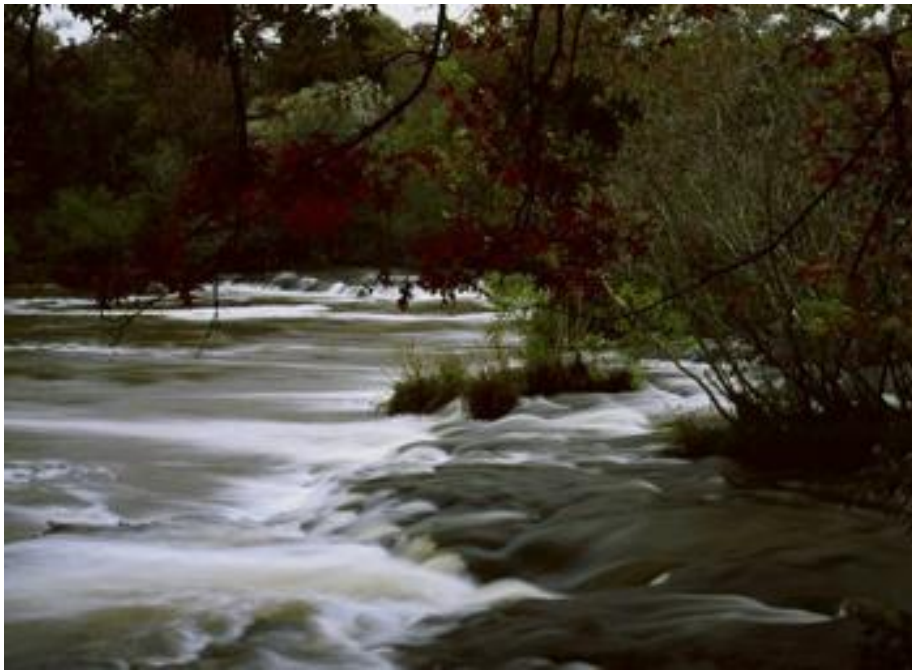
- Reasonable investigation must be accomplished to determine whether proposed **action** could affect NWSR
- Initiate database research to identify if project in proximity to NWSR
 - <http://www.rivers.gov/wildriverslist.html>
 - www.nps.gov/ncrc/programs/rtca/nri/
- Appropriate “triggers”:
 - Project **1 mile** from a NWSR
 - Project **upstream 20 miles or 10 miles downstream** from a NWSR (i.e. – cattle grazing runoff empties into NWSR, Dam project, WWTP, etc.)
 - Project located on **tributary** in proximity to NWSR
- Proximity, impacts, & mitigation will vary depending on the **values** of the NWSR involved and on **scope, scale and nature** of the HUD project and its potential impacts



Little Missouri River
Ouachita National Forest
Arkansas

Environmental Review Requirements

Avoid, mitigate, seek alternatives ...



Blue River
Tishomingo, Oklahoma

- Project within these thresholds requires consultation with the National Parks Service (NPS) and/or other Federal agency having jurisdiction over NWSR
- If no response is received from NPS within 30 days, RE may proceed with completing preparation and circulation of the environmental review as planned
- RE is still obligated to take care to avoid or mitigate adverse effects on the rivers identified in the Nationwide Inventory and designated as wild and scenic

Environmental Review Requirements

Avoid, mitigate, seek alternatives ...

- Cannot invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife **values** of the protected river
- Must **avoid or mitigate** impacts to NWSR
 - And cannot take action that would make NRI Rivers ineligible for designation as NWSR
- Adverse impacts may be physical, visual, audible, and other
- Send FONSI notice to NPS



Buffalo River
Ozark Mountains
Arkansas

ERR Documentation

For projects within proximity to NWSR...

- **Map** showing proximity to nearest NWSR
- **Source Documentation:** Obtain clearance from the federal land management agency with administrative responsibilities for the particular NWSR regarding potential impacts & necessary mitigation
- Summarize environmental concerns and incorporate mitigation in the Environmental Review Record (ERR)
- Provide all source documentation in the ERR



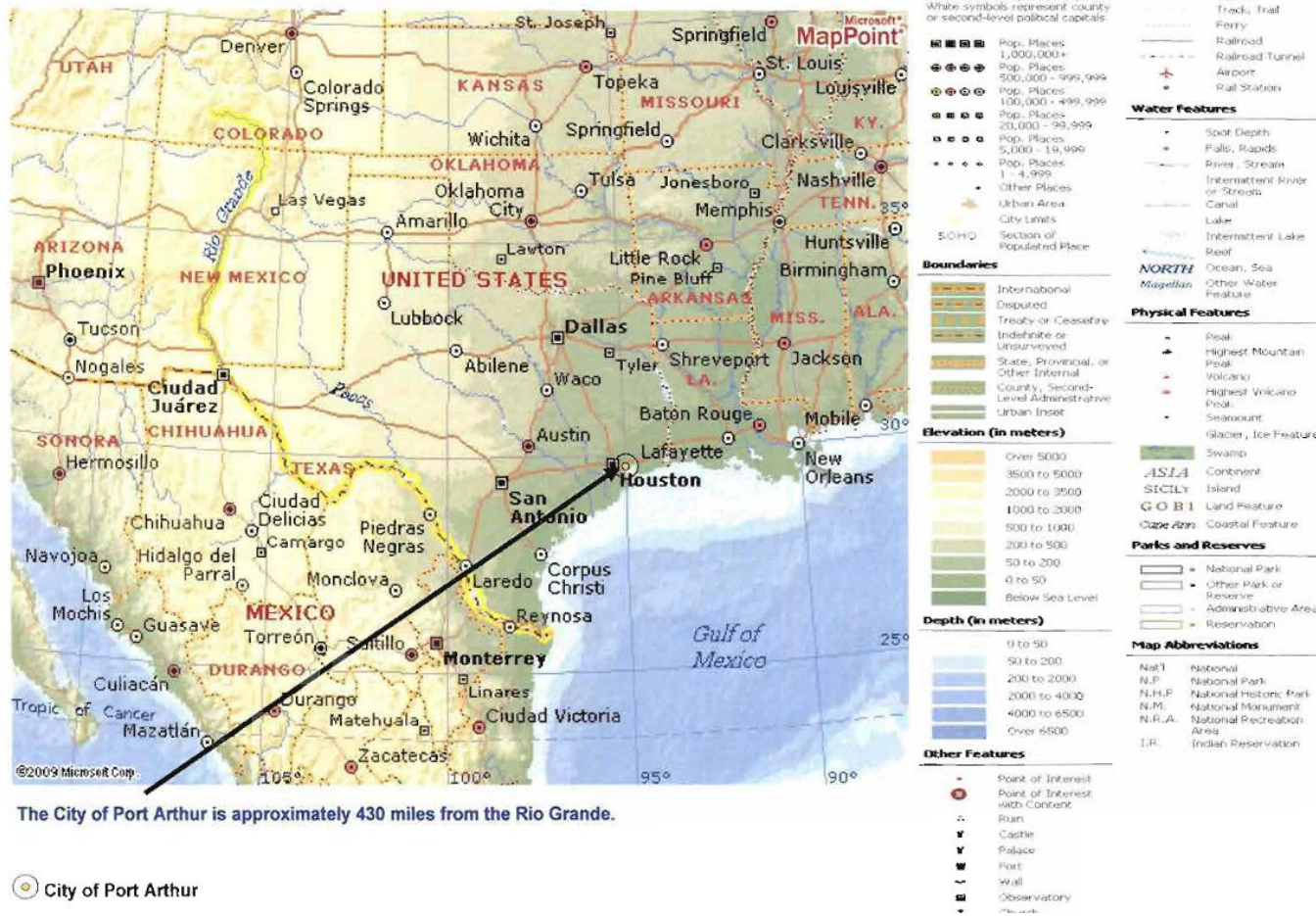
Brazos River
Granbury, Texas

For projects not within proximity to NWSR...

- **Map** showing proximity to nearest NWSR

Example Back-Up Documentation

Map of Rio Grande (river), North America



The City of Port Arthur is approximately 430 miles from the Rio Grande.

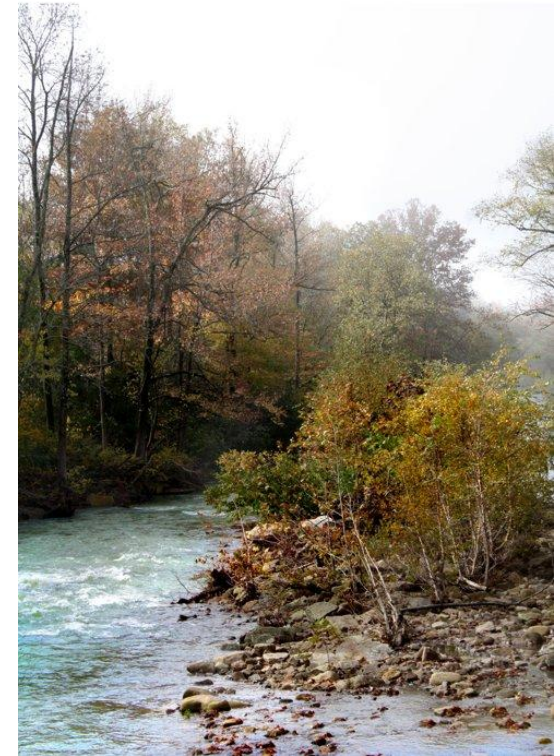
Questions?



Frio River
Texas



Rio Chama
New Mexico



Mulberry River
Arkansas